COVID-19 Employment Litigation Tracker And Insights
This COVID-19 Employment Litigation Tracker includes cases that were a direct result of the COVID-19 pandemic and are traditional employee vs. employer cases - both individual plaintiff and class actions. This should be considered a comprehensive, but not exhaustive, dataset.

The *Cases by Population* tab includes a visual representation of the number of cases filed per one million residents in the state. State population data was determined using the most recent census data available.

The *industry* and *company size* tables and graphs were developed using the primary defendant’s information when the case involves multiple defendants. Company size information is provided where the number of employees is available via public resources.
COVID-19 DATA BANK (TEMPLATES & FORMS)

Legal Insights
Click on an article title below to read the latest on COVID-19-related workplace litigation and trends, or click here to subscribe to our alerts on COVID-19 or other topics.

- 7 Steps Employers Can Take While Rehiring to Avoid COVID-19 Discrimination Workplace Lawsuits, August 16, 2021 [NEW!]
- What Employers Need To Know as Federal Judge Upholds Houston Hospital’s Workplace Vaccine Requirement, June 14, 2021 [NEW!]
- COVID-19 Whistleblower Lawsuits Continue to Target Healthcare Employers, Revealing Risks of Hasty Decision Making, June 3, 2021 [NEW!]
- Georgia Extends Limited COVID-19 Liability Protections, May 18, 2021 [NEW!]
- What New York City Employers Need to Know About The First Court Rulings in Early COVID-19-Related Workplace Litigation May 18, 2021 [NEW!]
- All In The Family, Part Two: Court Again Dismisses Lawsuit Alleging Family Member’s COVID-19 Workplace Exposure Claim, May 17, 2021 [NEW!]
- Litigation Trend in the Healthcare Industry Reveals Claims of Failure-to-Accommodate Disabled Employees During Pandemic’s Height, May 10, 2021 [NEW!]
- South Carolina Passes COVID-19 Liability Immunity Act, May 3, 2021 [NEW!]
- COVID-19 Employment Litigation Continues Based on Failure to Accommodate Virus-Related Illnesses, April 28, 2021
- Heightened Scrutiny of Noncompete Agreements During the Pandemic Continues, April 27, 2021
- What Employers Need To Know As Kentucky Eases COVID-19 Restrictions, April 21, 2021
- Pennsylvania Meatpackers Can’t Force OSHA to Act on COVID-19 Concerns, April 19, 2021
- Heat Check: Employee Temperature Screenings are Leading To COVID-19 Wage and Hour Lawsuits, April 15, 2021
- COVID-19 Employment Lawsuits Premised on State Law Violations on the Rise, April 14, 2021
- Taking Your Foot Off The Gas Too Early Could Lead To COVID-19 Workplace Safety Lawsuits, April 13, 2021

For substantive inquiries about the data, please contact a team member of the COVID-19 Taskforce or your Fisher Phillips attorney. For media inquiries, please contact Meghan Warin or Jenna Gatski Einstein.
Kentucky Becomes Latest State to Protect Businesses from Pandemic-Related Liability, April 13, 2021

Facemasks Add New Twist To Reasonable Accommodation Debate, Demonstrated by Latest COVID-19 Lawsuit, April 8, 2021

Employers Should Think Twice Before Denying Virus-Related Leave Requests as COVID-19 Lawsuits Increase, April 6, 2021

All In The Family? Employee’s Wife Brings Suit Against Employer After Alleged Workplace COVID-19 Exposure, March 25, 2021

Promises Made, Promises Not Kept: Salesperson Terminated Due to Pandemic Alleges Firm Reneged on Promise Not to Enforce Non-Compete, March 22, 2021

Adding Insult to Injury: Employers Facing COVID-19-Related Lawsuits Commonly Face Tacked-On Wage and Hour Claims, March 15, 2021

First Lawsuit Challenging Mandatory COVID-19 Vaccine May Shed Light On Employer Parameters, March 5, 2021


Indiana Businesses Are Now Protected From COVID-19 Liability – But What About Employment Claims?, February 23, 2021

Driving Away Business: Employee Furloughed During COVID-19 Accused Of Misappropriating Trade Secrets While Opening Competing Company, February 18, 2021

Court Enters Injunction Against California Poultry Plant Over COVID-19 Outbreak, February 16, 2021

Unhappy Anniversary: One Full Year Of COVID-19 Workplace Litigation, January 29, 2021

Kentucky Senate Proposes Bill To Protect Businesses From Pandemic-Related Liability, January 11, 2021

5 Steps Manufacturing Employers Should Take As Industry Remains Top Target For COVID-19 Workplace Claims, January 4, 2021

FP’s Newly Enhanced COVID-19 Litigation Tracker Reveals 3 Surprising Trends For Employers, November 16, 2020

10-Step Plan To Limit Exposure For California PAGA Health And Safety Claims In The COVID-19 Era, September 30, 2020

COVID-19 OSHA Whistleblower Claims On The Rise As Virus Rages On, September 16, 2020

ADDITIONAL ALERTS

3 Steps To Make Sure Your COVID-19 Decisions Don’t Lead To Wrongful Termination Lawsuits, September 16, 2020
• Caregiver COVID-19 Workplace Litigation Begins To Emerge, September 10, 2020
• Nevada Enacts COVID-19 Liability Protection For Businesses But Imposes Additional Mitigation Requirements For Public Accommodation Facilities, August 11, 2020
• COVID-19 Conflicts Lead To Breach Of Contract Claims Against Employers, August 10, 2020
• Employers Face Increase In COVID-19 Wrongful Death Lawsuits, August 7, 2020
• A Sign Of The Times: Georgia Businesses Receive COVID-19 Liability Protection, August 6, 2020
• Emerging Trends In COVID-19 Workplace Litigation, August 5, 2020
• FP COVID-19 Employment Litigation Tracker Reveals New York Is A Hotspot For Workplace Claims, July 24, 2020
• Oh Baby! Pattern Of COVID-19 Pregnancy Discrimination Litigation Beginning To Grow, July 10, 2020
• Choppy Seas: Alleged Involuntary Quarantine Of Employees Lands Employer in Wage and Hour Class Action, July 6, 2020
• Flipping The Script: Employer Sues Former Worker For COVID-19 Defamation, July 2, 2020
• FP COVID-19 Employment Litigation Tracker Reveals 43% Explosion Of Workplace Claims In June, July 2, 2020
• Is COVID-19 A Disability Under Discrimination Law? The Next Wave of Workplace Lawsuits May Answer Question, June 19, 2020
• Troubling Pattern Of COVID-19 Workplace Litigation Begins To Emerge, June 17, 2020
• 6 Questions To Ask To Avoid COVID-19 Wage And Hour Lawsuits, June 9, 2020
• Whistleblower Lawsuit Can Teach Healthcare Employers How To Proactively Manage COVID-19 Risks, June 9, 2020
• A New Wave Of COVID-19 Class Action Lawsuits Begins In California, June 1, 2020
• Employers Beware: COVID-19 Litigation May Spark Additional Claims, May 28, 2020
• Face Mask Policy Leads To COVID-19 Lawsuit Against Texas Restaurant, May 26, 2020
• Can Employers Use COVID-19 Waivers To Limit Liability?, May 26, 2020
• Litigation Seeking Unpaid Wages From Employers Impacted By COVID-19 Has Arrived, May 7, 2020
• New COVID-19 Lawsuit Sends Warning To Employers Too Large To Be Covered By FFCRA, May 6, 2020
• Fair WARNing: COVID-19 WARN Act Class Action Filed Against Hooters, May 6, 2020
You trusted us to guide you through the front side of the curve as you grappled with keeping up with fast-breaking legal developments, and we are here to advise and defend you through the resulting lawsuits, charges, and other legal claims you may soon face. Our talented team of litigators from across the country has been studying the nuances of the new legal requirements, tracking the varied legal claims springing from the COVID-19 crisis, and developing defense strategies to best position our clients to get through this new era. Our team is prepared to help employers nationwide with legal disputes related to:

- Furloughs, layoffs, reductions-in-force, and other terminations
- WARN Act implications
- Wage and hour adjustments
- FFCRA paid sick leave and emergency family leave
- Workplace safety compliance concerns
- Wrongful death, workplace injury, and negligence claims
- Workplace privacy standards (including medical information, temperature-gathering, etc.)
- Disability accommodation issues
- Discrimination, harassment, and retaliation allegations
- Employee defection, duty of loyalty, and trade secrets
- Class and collective actions

COVID-19 Taskforce CORE MEMBERS
Fisher Phillips has assembled a cross-disciplinary taskforce of more than 70 attorneys across the country to address the many employment-related issues facing employers in the wake of the COVID-19 pandemic and as employers move to reopen their business and get employees back to work. For more information about the taskforce, please reach out to one of the core members below or contact your Fisher Phillips attorney.

- Kathie Caminiti
- Todd Ewan
- Karl Lindegren
- Todd Logsdon
- Suzanne Michael
- Kristen Nesbit
- Hagood Tighe
- Travis Vance